

NOT RECOMMENDED FOR PUBLICATION

No. 24-5314

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**FILED**

May 28, 2024

KELLY L. STEPHENS, Clerk

JOHN DOE,)	
)	
Plaintiff-Appellant,)	
)	ON APPEAL FROM THE UNITED
v.)	STATES DISTRICT COURT FOR
)	THE EASTERN DISTRICT OF
UNITED STATES PROBATION OFFICE, et al.,)	TENNESSEE
)	
Defendants-Appellees.)	

ORDER

Before: GILMAN, WHITE, and THAPAR, Circuit Judges.

This matter is before the court upon initial consideration of appellate jurisdiction.

Plaintiff, under the alias “John Doe,” sued the United States Probation Office and several of its officers. Upon initial screening, a magistrate judge recommended that the complaint be dismissed. The district court declined to adopt the magistrate judge’s report, however, concluding that the court lacked jurisdiction to hear the matter because the complaint did not state the plaintiff’s name, *see* Fed. R. Civ. P. 10(a), and Doe had not sought permission to proceed anonymously. On March 19, 2024, the district court issued an order giving Doe 21 days to file an amended complaint or a motion for a protective order to proceed under a pseudonym. The district court informed Doe that, if he did not file either, the court would dismiss the complaint for lack of jurisdiction. Doe subsequently filed a motion to proceed anonymously. He also filed a notice of appeal from the March 19, 2024, order.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949); *see also Anderson v. Roberson*, 249 F.3d 539, 542-43 (6th Cir. 2001). A

No. 24-5314

- 2 -

final order is one that disposes of all issues in dispute as to all parties. It “ends the litigation on the merits and leaves nothing for the court to do but execute the judgment.” *Catlin v. United States*, 324 U.S. 229, 233 (1945); *United States v. Martirossian*, 917 F.3d 883, 886 (6th Cir. 2019). The district court’s March 19, 2024, order directing Doe to amend his complaint or file a motion to proceed anonymously is not a final order, because it does not dispose of the action. Nor is the order otherwise appealable as a collateral order because Doe can remedy the deficiencies identified by the district court by following the instructions of the district court, which he has already done by filing a motion to proceed under a pseudonym.

Accordingly, we **DISMISS** the appeal for lack of jurisdiction.

ENTERED BY ORDER OF THE COURT


Kelly L. Stephens, Clerk

United States Court of Appeals for the Sixth Circuit

U.S. Mail Notice of Docket Activity

The following transaction was filed on 05/28/2024.

Case Name: John Doe v. United States Probation Office, Eastern District o, et al

Case Number: 24-5314

Docket Text:

ORDER filed we DISMISS the appeal for lack of jurisdiction. Decision not for publication. No mandate to issue. Ronald Lee Gilman, Circuit Judge; Helene N. White, Circuit Judge and Amul R. Thapar, Circuit Judge.

The following documents(s) are associated with this transaction:

Document Description: Order

Notice will be sent to:

John Doe
856 Burley Shouns Lane
Mountain City, TN 37683

A copy of this notice will be issued to:

Ms. LeAnna Wilson